

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

BEVERLY ANN KNOX,

Plaintiff,

v.

Case No. 07-C-308

MICHAEL J. ASTRUE,
Commissioner, Social Security Administration,

Defendant.

**ORDER FOR AWARD OF ATTORNEY FEES
PURSUANT TO EQUAL ACCESS TO JUSTICE ACT, 28 U.S.C. §2412**

On January 17, 2008, following the entry of judgment remanding this action to the Commissioner for further proceedings, the plaintiff filed a motion for attorney fees under the Equal Access to Justice Act, 28 U.S.C. §2412 (“EAJA”)[Docket No. 24]. Plaintiff petitioned for an award of \$ 3892.01, which was calculated upon the hours expended by counsel at the statutory rate ranging from \$164.86 to \$167.38 per hour for 23.3 hours of work. Subsequently, a motion to amend the motion for fees and a second amended motion for fees [Docket Nos. 26 & 27] were filed by the plaintiff to include supporting documentation which was omitted in the first filing. The court recognizes these motions as correcting the initial motion for award of fees and these motions are resolved.

Following the petition, on February 4, 2008, a Stipulation to Award Attorney Fees Under the EAJA was jointly filed by the parties. The stipulated award of attorney fees is in the total amount of \$3,500. This award will fully satisfy any and all of plaintiff’s claims for fees, costs and expenses that may be payable in this case pursuant to the EAJA. Any fees paid belong to the plaintiff, not her

attorney. With her EAJA petition, plaintiff submitted a fee agreement with counsel, directing that any award under the EAJA shall be paid directly to her attorney, as assignee of the plaintiff.

NOW THEREFORE,

IT IS ORDERED that the plaintiff's motion for attorney fees pursuant to the Equal Access to Justice Act is GRANTED, in the amount of \$3,500. The judgment shall be amended accordingly.

Dated at Milwaukee, Wisconsin, this 8th day of February, 2008.

BY THE COURT:

s/AARON E. GOODSTEIN
United States Magistrate Judge